

Appl. No. 10/684,316
Amdt. dated July 12, 2005
Reply to Office Action of June 14, 2005

PATENT

REMARKS/ARGUMENTS

This is in response to the Office Action Summary mailed June 14, 2005. In the Office Action, the Examiner restricted the claims into two groups:

Group I: Claims 55-58 and 61-73, drawn to a method of securing an aircraft against unauthorized direction, classified in class 244, subclass 75R; and

Group II: Claims 59 and 60, drawing to an apparatus for securing an aircraft against unauthorized control, classified in class 244, subclass 118.5.

The Examiner also stated that should Group I be selected, one of the following species must also be selected:

Species 1: disabling on board control of autopilot (claim 66 and dependents); and

Species 2: manual control of navigation is disabled (claim 56 and dependents).

The Applicant elects Group I and Species 1, including Claims 66-73, with traverse of the species restriction, for prosecution in the present application. Applicant cancels claims 59-60 without prejudice and withdraws claims 56-58 and 61-65.

The Examiner contends that the two species are distinct because Species 1 includes disabling on-board control of autopilot, and Species 2 includes the feature that manual control of navigation is disabled. The Examiner further contends that no claim is generic. Applicant respectfully disagrees.

Both claims 56 and 66 include the feature of disabling manual control of the aircraft. Claim 56, ll. 4-5 and claim 66, line 4. Thus, both claims 56 and 66 claim inventions that fall within the Examiner's category of Species 2. Claim 56 does not expressly include the feature of disabling on board control of autopilot. Therefore, claim 56 is generic to the two species identified by the Examiner.

Applicant respectfully requests reconsideration and withdrawal of the species restriction because there is a claim generic to the species and there is not an unreasonable number of species. There is no undue burden placed on the Examiner, because the Examiner necessarily must search for the feature of disabling manual control of the aircraft when examining claim 66.

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CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. Applicant respectfully requests withdrawal of the species restriction. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858-350-6100.

Respectfully submitted,



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